

### **REMARKS**

In the Office Action mailed June 25, 2008, the Examiner objected to Claims 3 and 4, made several objections to the specification and further rejected the pending claims as being anticipated under 35 U.S.C. § 102 or obvious under 35 U.S.C. § 103 in view of the Holzer '256 reference (U.S. Patent No. 5,243,256) the Holzer '316 reference (U.S. Patent No. 6,307,316) or some combination thereof. By this paper, the Applicant has amended the specification and the claims to address the objections noted by the Examiner and to highlight the subject matter that the Applicant believes is allowable over the art of record. Hence, reconsideration of the above-captioned application in light of the amendments and remarks contained herein is now respectfully requested.

In the Office Action, the Examiner objected to Claims 3 and 4 as failing to further limit the subject matter of a previous claim. Claim 3 has been amended to recite that a single tube is achieved by connecting multiple tubes together. Antecedent support for this amendment can be found on Page 12, lines 14 to 16. The Applicant therefore believes that Claim 3 further limits Claim 1 and that Claim 3 and Claim 4 (which depends from Claim 3) now comply with the requirements of 37 C.F.R. § .175.

In the Office Action, the Examiner further made objections to inconsistencies and clerical errors in the specification. By this paper, the Applicant has amended the objections noted by the Examiner and further made additional amendments to the specification to clarify the disclosure contained therein. The Applicant respectfully requests entry of these amendments as they do not add any new matter to the application but simply clarify the application.

In the Office Action, the Examiner also rejected the claims as being anticipated or obvious in view of the Holzer '265 and the Holzer '316 references. After carefully reviewing these references, the Applicant notes that neither of these references, either by themselves or in combination with each other, teach or disclose the concept of a compact discharge-type lamp having a discharge tube and a ballast where the region at which the discharge tube and ballast housing are in contact with each other is limited only to the electrode and the coupling member (*See, e.g.*, Claim 1 as amended).

As discussed in the application as originally filed, by limiting the contact between the discharge tube to the ballast housing to only the electrode and the coupling members, the path

through which heat occurring in the discharge tube is transferred to the ballast housing is limited to only the contact region. Thus, less heat is transferred to the ballast housing which reduces deterioration of the ballast circuit elements due to heat (*See, e.g.*, Application as filed page 7 line 10 to page 8 line 6).

In contrast, the Holzer '256 reference discloses connecting the discharge tube to the ballast along a much greater surface. In fact Holzer '256 is attempting to eliminate gaps or non-lighted zones between the tube elements to achieve a more continuous light surface and reduce light loss. In Holzer '256, the entire upper end of the discharge tube is mounted directly on, and is therefore in contact with, the cylindrical base that contains the ballast (*See, e.g.*, Figures 7 and 9) thereby providing a much larger heat transfer path to the ballast. As Holzer '256 is trying to increase the connection between the base and the discharge tube, Holzer '256 appears to teach away from the concept of limiting the interconnection between the discharge tube and the ballast or ballast housing to limit the heat transfer path. Thus, Holzer '256 cannot be said to either anticipate or teach the Applicant's invention as defined by Claim 1 as amended.

Similarly, Holzer '316 also does not disclose nor teach this feature as the discharge tubes in Holzer '316 are generally coupled to the base at multiple locations and not just as the interconnection point defined by Claim 1 as amended. Thus, neither of the cited references either alone or in combination can be said to either teach or disclose the Applicant's invention as defined by Claim 1. The Applicant further submits that the remaining claims define additional patentable subject matter and are further allowable due to their dependency on Claim 1.

The Applicant therefore believes that the above-captioned application is in condition for allowance and requests the prompt allowance of the same. Should there be any impediment to the prompt allowance of this application that could be resolved by a telephone conference, the Examiner is respectfully requested to call the undersigned at the number shown below.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

**Application No.:** 10/533,352  
**Filing Date:** June 26, 2006


application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 19, 2008

By:   
Michael H. Trenholm  
Registration No. 37,743  
Attorney of Record  
Customer No. 20995  
(951) 781-9231

6382564:iw  
121708